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AMAZON.COM SERVICES LLC

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

RAYSHAWN JENKINS,

Plaintiff,

v.

AMAZON.COM SERVICES, LLC,

Defendant.

CASE NO. 2:24-cv-01562-GMN-MDC

**STIPULATION AND [PROPOSED]
ORDER TO STAY DEADLINE TO
SUBMIT A PROPOSED DISCOVERY
PLAN AND SCHEDULING ORDER**

Plaintiff RAYSHAWN JENKINS and Defendant AMAZON.COM SERVICES LLC, by and through their undersigned counsel, hereby agree and stipulate to exchange initial disclosures by October 30, 2024, but stay the deadline to submit a proposed discovery plan and scheduling order until Amazon files an Answer.

On September 13, 2024, Amazon filed a Motion to Dismiss and/or Stay the Case. ECF Nos. 16, 17. On October 4, 2024, Plaintiff filed a First Amended Complaint and Response to Amazon's Motion to Dismiss and/or Stay the Case, stating that the filing of the First Amended

1 Complaint mooted Amazon's motion. Amazon's current deadline to respond to the First Amended
2 Complaint is October 18, 2024, and Amazon presently intends to file another motion to dismiss
3 and/or stay the case.

4 It is well recognized that "[c]ourts have broad discretion in managing their dockets." *Byars*
5 *v. Western Best, LLC*, No. 2:19-CV-1690-JCM-DJA, 2020 WL 8674195, at *1 (D. Nev. Jul. 6,
6 2020), citing *Clinton v. Jones*, 520 U.S. 681, 706-07 (1997). In exercising such discretion, "courts
7 are guided by the goals of securing the just, speedy, and inexpensive resolution of actions." *Id.*;
8 *see also* Fed. R. Civ. P. 1. The parties agree that good cause exists to continue to stay the deadline
9 for submission of a Stipulated Discovery Plan and Scheduling Order this case given that Amazon
10 intends to file a motion to dismiss and/or stay the case that may be "dispositive" of Plaintiff's
11 claims or may cause the case to be stayed. *See Schrader v. Wynn Las Vegas, LLC*, No. 2:19-cv-
12 02159-JCM-BNW, 2021 WL 4810324, at *4 (D. Nev. Oct. 14, 2021); *Aristocrat Techs., Inc. v.*
13 *Light & Wonder, Inc.*, No. 2:24-CV-00382-GMN-MDC, 2024 WL 2302151, at *1 (D. Nev. May
14 21, 2024). Submission of a Stipulated Discovery Plan and Scheduling Order to commence
15 discovery before the pleadings are resolved would cause unnecessary expense to the parties,
16 particularly because this is a putative class action, and potentially clog the Court's docket with
17 unnecessary discovery disputes and/or motion practice. Consistent with the foregoing, the parties
18 agree they will be in a better position to discuss the necessary scope of discovery that will be
19 needed, if any, and the amount of time necessary for both sides to gather evidence, once Amazon
20 files an Answer. Notwithstanding the foregoing, the parties agree to exchange initial disclosures
21 under Rule 26(a)(1) by October 30, 2024.

22 For this reason, the parties believe that it is in the interest of judicial efficiency: (1) to
23 submit a Stipulated Discovery Plan and Scheduling Order after Amazon files an Answer; and (2)
24 for the parties to serve initial disclosures under Rule 26(a)(1) on October 30, 2024.

25 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and Amazon as
26 follows:

- 27 1. The deadline for the parties to submit a proposed discovery plan and scheduling
28 order shall be stayed until Amazon files an Answer.

2. The parties will exchange initial disclosures under Rule 26(a)(1) by no later than October 30, 2024.

Dated: October 17, 2024

/s/ Jason Kuller, Esq.

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IT IS SO ORDERED.

1. The parties shall exchange Fed. R. Civ. P. 26(a)(1) initial disclosures by October 30, 2024.

2. The parties shall submit a Stipulated Discovery Plan and Scheduling Order per LR 26-1 within 14 days of defendant Amazon filing an answer.


UNITED STATES MAGISTRATE JUDGE

Dated: 10-21-24